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PATENT APPLICATION

Reinhart Boerner Van Deuren s.c.

By: Antonia M. Holland

Date: August 15, 2005

Date: August 15, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Stupp et al.

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Application No: 10/668,672

) FOR: SELF-ASSEMBLED PEPTIDE-AMPHIPHILES AND SELF-ASSEMBLED PEPTIDE NANOFIBER NETWORKS PRESENTING MULTIPLE SIGNALS

Filed: September 23, 2003

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Attorney Docket No. 8696

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**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF
FIRST OFFICE ACTION (37 CFR 1.97(b))**

NOTE: "An information disclosure statement shall be considered by the Office if filed: (1) within three months of the filing date of a national application; (2) within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) before the mailing date of a first Office action on the merits, whichever event occurs last." 37 CFR 1.97(b).

NOTE: The "filing date of a national application" under 37 CFR 1.97(b) has two possible meanings. Where the filing is a direct one-to-the-United States Patent & Trademark Office, the filing is defined in 37 CFR 1.53(b) as "the date on which:—(1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 CFR 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the International preliminary examination report, if such annexes were made in another language. 37 CFR 1.97(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

NOTE: *"No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."*

NOTE: *"An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 CFR 1.8, or Express Mail certificate under 37 CFR 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

NOTE: *"The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

NOTE: *"An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirement (37 CFR 1.142) or just a requirement for additional fees to have a claim considered (37 CFR 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

WARNING: *"A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 CFR 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).*

Dated: August 15, 2005
Reg. No. 53,840
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PATENT TRADEMARK OFFICE



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<p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(Use as many sheets as necessary)</i></p> <p>Sheet 1 of 2</p>		<p>Complete if Known</p> <table border="1"> <tr> <td>Application Number</td> <td>10/668,672</td> </tr> <tr> <td>Filing Date</td> <td>09/23/2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Samuel I. Stupp</td> </tr> <tr> <td>Art Unit</td> <td>1645</td> </tr> <tr> <td>Examiner Name</td> <td></td> </tr> <tr> <td>Attorney Docket Number</td> <td>8696</td> </tr> </table>		Application Number	10/668,672	Filing Date	09/23/2003	First Named Inventor	Samuel I. Stupp	Art Unit	1645	Examiner Name		Attorney Docket Number	8696
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number 10/668,672

Filing Date 09/23/2003

First Named Inventor **Samuel I. Stupp**

Art Unit 1645

Examiner Name

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁸
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		WO 03/070749	08-28-2003	Stupp et al.		
		WO 2005/056576	06-23-2005	Stupp, S.		
		WO 00/13710	03-16-2000	Jennings, R.N., Jr. et al.		
		WO 03/040336	05-15-2003	Fishman, M.C. et al.		
		WO 00/64481	11-02-2000	Sakiyama, S.E. et al.		
		WO 2002/062969	08-15-2003	Semino et al.		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		<i>Application Number</i>	10/668,672
(Use as many sheets as necessary)		<i>Filing Date</i>	09/23/2003
		<i>First Named Inventor</i>	Samuel I. Stupp
		<i>Art Unit</i>	1645
		<i>Examiner Name</i>	
Sheet	2	of	2
		<i>Attorney Docket Number</i>	8696

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
		Wang-Lin-Fa. Epitope Identification and Discovery Using Phase Display Libraries: Applications in Vaccine Development and Diagnostics. Current Drug Targets, 2004, Vol. 5, No. 1, pages 1-15.		
		Donners et al. Growth factor binding self-assembling nanofiber networks for tissue regeneration. March 28-April 1, 2004. Abstracts of Papers, 227 th ACS National Meeting, Anaheim, CA, American Chemical Society. BIOT-023.		
		Anthony. Self-assembling nanofiber matrix for bone regeneration. March 28-April 1, 2004, Abstracts of Papers, 227 th ACS National Meeting, Anaheim, CA, American Chemical Society. BIOT-340.		
		Anthony. Injectable Biomaterials for Bone Tissue Engineering. http://www.nuance.northwestern.edu/downloads/Anthony%20Murphy%20Report%20Spring%202003.pdf (Spring 2003) Accessed online 4/28/05. pages 1-12. See entire document, e.g., pages 3-7 and figures 102.		

Examiner Signature		Date Considered	
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